

Exhibit C

SMOOTH TRACK, SMOOTH RETURN TO RACING AT LAUREL PARK

Sighs of relief all around.

Laurel Park's return to racing Saturday went off without a hitch, and praise for the condition of the racetrack was widespread.

The track dried out quickly after plenty of Friday rain, fast horses ran fast, slow horses were slow, and most important, all of them returned to their barns under their own power.

"It's quite muddy with all the rain that we got," jockey [Jevian Toledo said of the racetrack after his first of three stakes wins, aboard Nimitz Class in the Native Dancer](#), when the track was rated "You see how fast he got it to dry?" trainer Jerry Robb asked after winning the Primonetta Stakes with Princess Kokachin five races later on a track rated good. "The guy's good."

"The guy" is former Maryland Jockey Club track superintendent John Passero, who has been retained by the Maryland Thoroughbred Horsemen's Association as a consultant. After several days of disagreement, the [MTHA and track owner Maryland Jockey Club \(MJC\) reached accord this past Tuesday](#) to permit Passero on the grounds to assess the condition of the track.



The delay stemmed in part from [differing perspectives on what had caused several recent breakdowns](#) and injuries. The state's horsemen claimed the problems stemmed from a dirt racing strip they said was uneven and inconsistent. The Maryland Jockey Club maintained that the track was in perfectly good condition and urged Maryland instead to adopt a series of protocols the company says enhanced safety in California.

After several days where horses had been limited to jogging and galloping, Laurel reopened Thursday to full training - and praise from racing participants.

"I can honestly say it was an amazing difference between the track once Passero came in and adjusted things," Kelly Cox, a former clocker and the wife of trainer Kenny Cox, wrote on Facebook. "Every exercise rider and jockey noticed the difference."

"Laurel track was great this morning," jockey agent Tom Stift agreed in the same thread. "All riders and trainers very happy with all workers."

Toledo certainly noticed the improvement.

"It was beautiful. I mean, before it had some bumps, before he was here," the veteran rider said Saturday. "The first day he came, this track rode like a carpet. It was an excellent job; nobody complained, to be honest."

That's notable, both because riders risk life and limb each time they climb aboard – and because they had refused to ride April 8 because of track surface concerns.

"They've done a good job. John Passero has done good job with working and getting it good," said rider Johan Rosado after winning the Dahlia Stakes aboard Misty Mauve. "It's certainly good, and I believe [it's getting better]."

For his part, Passero said that what he's done is more in the realm of minor tweaks than major changes. Horsemen have great confidence in his work, dating back from his days as track superintendent here.

"I don't think there's any issues with the base [of the track]," he explained in an interview Thursday. "What I want to do is tweak the cushion a little bit and once you've done that, we just changed the operation of it. And really, the main thing is, just put a little less water in it and harrow the hell out of it."

"Mr. Passero is doing a good job," Toledo said. "So hopefully they'll keep him and let him do his job the way he's doing it." muddy and sealed. "But with all that, I think it's in pretty good shape."

Laurel: Veteran Passero's 'Quick Fixes' Could Have Racing Resume By Saturday

- [Paulick Report Staff](#)
- Apr 26, 2023

Racing at Laurel Park may resume as early as this Saturday, after veteran track surfaces manager John Passero examined the surface on Wednesday, April 26, according to an agreement between track management and the Maryland Thoroughbred Horsemen's Association. Tim Keefe, a trainer who is the president of the Maryland Thoroughbred Horsemen's Association, told the *Daily Racing Form* that Passero made a few fixes and that additional changes could be made in time to race by Saturday.

"He made some quick fixes, some changes he thought were necessary," Keefe told *DRF*. "He's very comfortable that we'll be where we need to be on Saturday."

Passero served as senior vice president of racing surfaces for the Maryland Jockey Club earlier in his career, and his assessment was requested by the MTHA in a letter sent to track management earlier this week.

A text message from the Maryland Jockey Club alert system indicated that normal training hours will resume on Thursday, April 27, with the first 10 minutes after each harrow break reserved for workers only. It will be the first day works have been allowed for nearly a week.

Entries were also taken for Saturday's card, including five stakes races which were originally scheduled to be run on April 22. A total of 116 horses were entered for 11 races.

Wednesday evening, 1/ST Racing distributed the following statement concerning the resumption of racing at Laurel Park:

ON THE SURFACE, PASSERO TAKES THE HEAT

By ANDREW BEYER

May 23, 1987 at 8:00 p.m. EDT

After less than a month in his new job, John Passero already is feeling the heat. He has been criticized implicitly by some of the top trainers and jockeys in the country, explicitly by the press. But he's used to it. He knows that being second-guessed is an inescapable part of being a track superintendent.

Still, Passero might have hoped that his work at Pimlico Race Course would have begun a bit more tranquilly. Hired shortly before the Preakness, his first important task was to make sure the track was fair and uniform for the prestigious race. Instead, the track appeared to favor stretch-runners on the outside while giving speed horses virtually no chance -- the type of conditions that superintendents are paid to avoid.

Passero disagreed with the popular assessment. "The track was okay," he insisted, and said that its depth was uniform. Judgments about track biases are highly subjective, but this is certain: Passero has had a profound effect on Pimlico; he has changed the very nature of the game there. A horseplayer who doesn't recognize what he has done is going to have a long, costly education about the importance of track superintendents.

Frank De Francis hired Passero to be his "track coordinator," supervising the racing strips at Pimlico, Laurel and Freestate. De Francis puts a considerable emphasis on the quality of the racing surfaces at the tracks he owns, but his most pressing concern was to do something about Pimlico's speed- and rail-favoring bias, which has often marred the Preakness.

In his nine years at Arlington Park, and, before that, 17 years with the Ontario Jockey Club, Passero's trademark has been to develop racing surfaces that tend to be deeper and slower than most. "I don't like to hear the horses smack the ground," he said. "You pay a price for that."

The price had been evident at Pimlico. "The number of horses who broke down on this track," said vice president Tom Manfuso, "was dramatically greater than at Laurel and Bowie."

Beginning April 30, Passero changed the way the Pimlico surface traditionally has been maintained. He discontinued the practice of "rolling" it twice a day -- using heavy equipment to pack it down. "Instead of rolling it, we pumped more water onto the track," he said. "Rolling packs the track and tightens it; water does the same. But the track is fluffier and looser. We've taken some of the speed away from it; I think the times are about a second slower than they were."

Racing fans may not have known who Passero was, or what he was doing, but they could perceive the results of his changes. Horses were making wide moves on the turn and rallying more effectively than they ever had done at Pimlico. Front-runners on the rail often seemed to be at a disadvantage. Horses breaking from the extreme outside post position won more frequently than those coming from post No. 1.

On the day of the Preakness, this tendency had become an insuperable bias. Trainers Jack Van Berg and Scotty Schulhofer were among those who noticed it, and instructed their jockeys to stay off the rail in the Preakness. When Schulhofer's colt, Cryptoclearance, lost after being trapped on the rail, Schulhofer blamed his defeat on his jockey's failure to heed the track bias. Did it really exist?

"We graded the track on Thursday {before the Preakness} -- leveled it -- to make sure it was three inches deep everywhere," Passero said. "The only way I can explain the way the races were run is strategy." Passero theorized that trainers and jockeys had heard that speed wasn't winning, so they chose to bring their horses off the pace.

This theory is nonsense. There were plenty of good speed horses breaking from inside post positions on the Preakness day card, and they were all trounced -- in many cases by rivals with distinctly inferior credentials. The bias existed -- though it probably wasn't the fault of any miscalculation on Passero's part. Other factors such as wind, humidity, fog and, according to some handicappers, tidal movements, can affect the ways horses run. These conditions are part of the game, and probably there is no track superintendent alive who can overcome them all. What racing fans and horsemen do hope for, and expect, is that a superintendent will care for his track in a consistent way, rather than overreacting to criticism and making drastic changes overnight. Passero said he

Passero New Track Superintendent for NYRA Tracks

• By [BloodHorse Staff](#)

• [December 17, 2004](#)

- *Edited from NYRA release*
The New York Racing Association announced Friday that John Passero has been named track superintendent at Aqueduct, Belmont Park and Saratoga.
- "We are truly pleased to have John join NYRA," said Charles Hayward, president and CEO of the NYRA. "John is recognized as the best track superintendent in the country. He will be a major contributor to what is, in our opinion, the finest operational staff in the industry. His record and reputation is second to none."
- "I am flattered and thrilled to join NYRA," said Passero. "New York racing is the best in the country and it's a pleasure to join the NYRA team."

Since September, he has been consulting on the rebuilding of the main track at Canada's Fort Erie Racetrack.

He is probably best known for his 17-year stint for the Maryland Jockey Club which ended this past summer. He served as a senior vice president for the organization overseeing the track and stable operations at Laurel, Pimlico and Bowie Racetrack and Training Center.

From 2000 until he left this past summer he was also responsible for facility management at all three facilities. Prior to joining the Maryland Jockey Club, Passero held the position of track superintendent, racing surfaces at Arlington Park outside Chicago for nine years. He also spent one season as track superintendent for Balmoral Race Track in Crete, Illinois

From 1960 to 1977 he held the position of track superintendent for the Ontario Jockey Club, which operates Woodbine and at the time also ran Greenwood Race Track and Fort Erie Race Track.

Passero will assume his duties in early to mid January. Jerry Porcelli will remain with NYRA and report directly to Passero.

•

Laurel Park first appeared on the racing scene on October 2, 1911. Its first meeting was held under the direction of the Laurel Four County Fair. Three years later, in 1914, New York City grocery entrepreneur James Butler purchased the track, installing renowned promotions king Col. Matt Winn as the track's general manager. Winn is recognized as the man who put the Kentucky Derby on the racing map.

Under Butler's stewardship, Laurel hosted three match races, beginning with Hourless vs. Omar Khayyam at one mile and one-quarter on October 18, 1917. Hourless had won the 1917 Belmont Stakes and Omar Khayyam had accounted for the Kentucky Derby that year. When the two horses met in the Brooklyn Derby earlier that year, Omar Khayyam prevailed by a nose, but in the Laurel match race Hourless rallied to win by a length in a time of 2:02.

The next year, top two-year-olds Billy Kelly and Eternal met in a six-furlong match race at Laurel, vying for a \$20,000 pot. Eternal edged Billy Kelly by a head, and winning owner J. W. McClelland donated his purse money to the Red Cross. Then, on October 26, 1923, two-year-olds met again in a match race when Sarazin defeated Happy Thoughts at six furlongs.

In 1947, the Maryland Jockey Club, owners of Pimlico and Timonium at the time, purchased Laurel from the Butler estate with the idea of shifting the Pimlico meeting to Laurel. However, when the plan was not approved by the Maryland Legislature, the Maryland Jockey Club decided to sell the track to Baltimore industrialist Morris Schapiro, who appointed his youngest son John David Schapiro as the track's new president. Laurel was sold to the Schapiros in 1950.

John D. Schapiro began revitalizing Laurel soon thereafter. He changed the track's name to Laurel Race Course and introduced the Washington, D.C. International, a race designed to bring together the world's best at one mile and one-half on the grass. England's Wilwyn rallied from off the pace to win in the inaugural running of the International in 1952. The race went on to become an important fixture on United States and foreign racing calendars before being placed on hiatus in 1995.

In 1953 Laurel opened a new clubhouse and turf club, and in 1957 the grandstand was remodeled. In an effort to improve conditions for the International, Laurel lengthened its turf course from seven furlongs to one mile in 1959; simultaneously, the main track was extended from one mile to one mile and one-eighth.

Laurel remodeled its clubhouse and grandstand to accommodate winter racing in 1966, enclosing the track's seating area with 30,000 square feet of half inch thick glass. Conversely, when Laurel was awarded the summer racing dates in 1982, the track installed an air conditioning system in the grandstand and clubhouse. In 1984, the 34-year Schapiro era ended with the sale of the track.

Renaissance at Laurel

Laurel entered a new era in December 1984, when Frank J. De Francis and his partners, Robert and John "Tommy" Manfuso, purchased the racetrack from Schapiro.



An innovative Laurel project was the creation of the Sports Palace in 1985. It was the first of its kind in the horse racing world. The glittering \$2 million facility was a bold innovation that combines the ambience of a plush casino with state-of-the-art technology which featured computerized handicapping and a video racing library. The concept of the Sports Palace has been widely copied by other tracks.

In 1986, another \$1 million was spent on additional improvements. The first floor of the clubhouse was totally renovated. The club bar and concession stands were enhanced with black marble, brass and neon accents. Three dining rooms were also part of the improvements, including the first floor "Silks Room" with its mahogany panelling and stained glass windows, where light fare is offered. The "Ruffian Room," located on the mezzanine level, is reserved for special events, and the "Sky Suite Club," for members, have also been completely redesigned in a most elegant fashion, making them among the finest at any racetrack in America.

In 1987, another \$1 million was allocated to improvements, which centered on beautifying and modernizing the second floor of the clubhouse. Two new cinema theaters were added, one on the clubhouse second level and the other on the grandstand mezzanine. Important sporting events are televised in each theater.

Exterior improvements included repaving of the track apron, parking lots and stable area. Extensive landscaping has been completed around the track grounds, particularly in the paddock area with a new entrance and attractive white fencing. Also erected was a new barn in the International Village to accommodate foreign horses for the Turf Festival.

Inter-track wagering made its debut at Laurel in early 1988 with the Sports Palace playing a major role in attracting fans to the satellite-beamed races. Laurel fan support of Pimlico racing has continued to increase.

In August 1989, Frank J. De Francis died, but his vision lives on through his son, Joseph A. De Francis, who now serves as president of Laurel and Pimlico. Following in the footsteps of his father, De Francis introduced several concepts to Maryland racing. Under the younger De Francis' control, Off-Track Wagering, full-card simulcasting and a renewed commitment to the patron have combined to rejuvenate the sport.

In October of 1994, Joe De Francis announced that the storied racing oval would return to its roots; the track was officially renamed Laurel Park. In addition, an aggressive, multi-million dollar renovation project was unveiled and a new department—Public Relations, under the direction of Karlin De Francis—was created to focus on customer service.

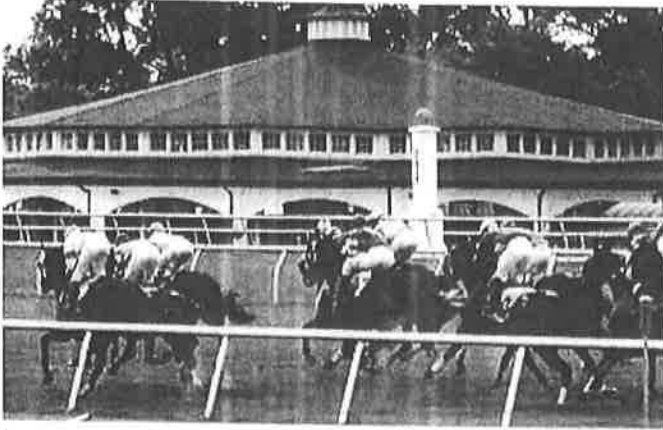
Following his purchase of the ownership interests of Robert and John A. Manfuso, Jr., Joe De Francis guided the track to its most successful year ever in 1994 and topped the total betting handle record in 1995.

In 1997 major improvements were made to Laurel's main entrance, the Grandstand interior and to backstretch barns. The new Main Line-1 features quadruple, large-screen TV theaters with desks and wireless mutuel terminals for the serious racing fans.

Another major improvement at Laurel was the complete rebuilding of the nine furlong racing strip in 1998. It was a massive undertaking, directed by John Passero, costing almost \$2 million.

In 1999, at Laurel Park, the MJC broke ground on a new \$1.85 million backstretch housing project, Laurel Commons, in cooperation with Laurel Quality of Life, Inc., the Enterprise Foundation, Inc. and the Ryan Family Foundation, Inc. In addition, Laurel Park, as part of a \$16 million multi-year renovation plan, opened four premier Clubhouse areas: "Tycoons," an upscale cigar and brandy bar with an excellent television presentation of racing and other sporting events; "Sunny Jim's," a simulcast theatre with individual carrels, and food & beverage service; "Clocker's Corner," a casual simulcast theatre and cafe in a convenient track-side location and the "Kelso Club," a premier accommodation for VIP customers with concierge service.

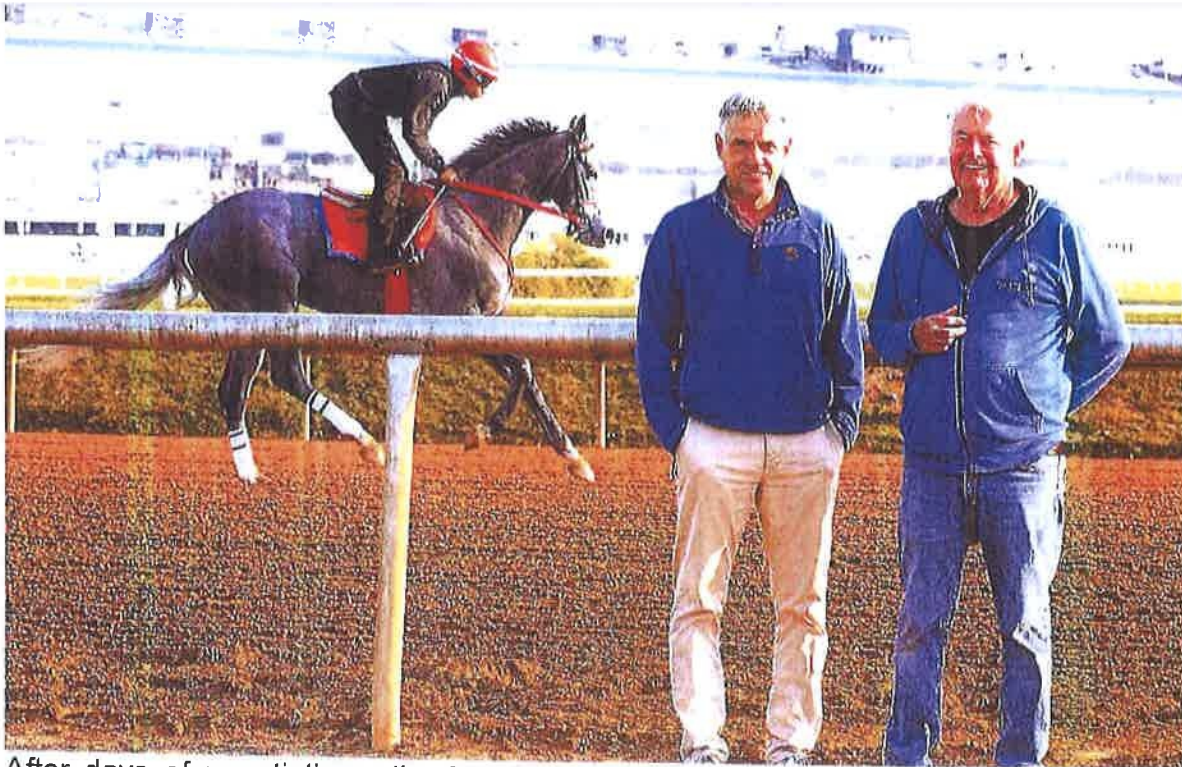
In 2000, the Maryland Jockey Club and Maryland horsemen entered into a landmark revenue sharing agreement with the standardbred industry whereby net revenue from parimutuel handle on all wagers is shared 80% to the thoroughbred industry and 20% to the standardbred industry.



The backstretch and racing surfaces at Laurel Park were closed from mid-June 2004 to early January 2005 as Magna Entertainment Corp. began a multi-million dollar renovation, which included the widening of both racing surfaces. The new main course, which has been raised and increased in width from 75 to 95 feet, now features one-turn mile races. The track's composition of 89 percent sand and 11 percent silt and clay is identical to the old Laurel dirt surface. The new, sweeping turf course, which was widened from 75 feet to 142 feet, helped make the track a top simulcast signal. The turf accommodates six track configurations which were named All Along, Bowl Game, Kelso, Dahlia, Exceller and Fort Marcy, in honor of some of the great horses which have competed on the grass at Laurel Park.

John Passero Joins Team To Help Improve Laurel Park Surface

Tuesday, May 2, 2023



After days of negotiations, the Maryland Thoroughbred Horsemen's Association and Maryland Horse Breeders Association reached an agreement with the Maryland Jockey Club on hiring consultant John Passero to examine the Laurel Park dirt surface and make recommendations for its improvement in the wake of a string of equine injuries during training and racing.

The Maryland Racing Commission accepted the agreement about 30 minutes before its special meeting at Laurel April 25. The MRC called the meeting to address the surface issues and, if necessary, identify a third-party consultant to handle the examination at the expense of the MJC, which it is authorized to do by statute. Under the agreement, the MTHA will pay Passero, who has visited Laurel in recent years at the request of horsemen after issues with the surface were discovered.

Passero, the longtime MJC Track Superintendent when the De Francis family owned the racetracks, was at Laurel April 24 and returned early April 26. In less than 24 hours he had prepared a report for the MRC, which had the final say on when live racing could resume at Laurel. Racing was canceled April 21-23, and again April 27-28. The MRC signed off for Laurel Park to race April 29 after accepting Passero's report April 26.

Passero made and implemented the following recommendations that are largely focused on regular surface maintenance:

- Slowing down the tractors significantly during harrowing
- Triple harrowing of the surface before maintenance breaks, once the wrong way and twice the right way
- Moderate watering changes so the surface does not explode under horses' feet, which has been a regular complaint of horsemen and riders
- Use of drag harrows rather than adjustable harrows on wheels to give the cushion significantly more body
- Horsemen have stated they have concerns about the dirt surface after rain, and it appears the current silt material is holding too much water. This will be observed and addressed going forward.

"My number one goal is to continue to recommend changes to protocols with the goal of getting more body into the cushion," Passero said in his report to the MRC. "I will also continue to recommend the MJC track crew closely regulate water applications which should make a significant difference. With the recommended adjusted watering and harrowing performed this morning, I have already notice significantly more body in the track."